

REMARKS

This application has been reviewed in light of the Office Action dated May 7, 2009. Claims 1 and 9-13 are presented for examination, of which Claims 1 and 11 are in independent form. Claims 1 and 11-13 have been amended to define still more clearly what Applicant regards as his invention. Favorable reconsideration is respectfully requested.

Applicant notes with appreciation the allowance of Claims 1, 9 and 10.

In the outstanding Office Action, Claims 11-13 were rejected solely under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Without conceding the correctness of this rejection, Applicant has amended Claim 11, and its dependent Claims 12 and 13, to recite that the steps of those claim are performed by the camera. Since the camera is plainly hardware, this recitation is believed to tie the method claims sufficiently to apparatus to ensure that those claims are directed to statutory subject matter. Accordingly, withdrawal of the outstanding rejection is respectfully requested.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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